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Page 1 of 4

Docket No. 1974.006

## Declaration and Power of Attorney For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### PROTEIN EXPRESSION AND STRUCTURE SOLUTION USING SPECIFIC FUSION VECTORS

the specification of which:

☒ is attached hereto

was filed as United States Patent Application Serial Number

was filed as PCT International Application Number

and was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Application Number	Country	Day/Month/Year Filed	Priority Claimed
EP 01100762.2	EP	12 January 2001	Yes

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
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I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. , Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Number	Filing Date	Status
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

<b>Candice J. Clement</b>	<b>39,946</b>
<b>Kathy Smith Dias</b>	<b>41,707</b>
<b>Philip E. Hansen</b>	<b>32,700</b>
<b>Jeff Rothenberg</b>	<b>26,429</b>

Send Correspondence to:

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Direct Telephone Calls to:

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Full name of sole or first inventor

**Dr. Dietmar J. MANSTEIN**

Sole or first inventor's signature



Date of Signature

1.16.2002

Residence

**Langewann 9, 69121 Heidelberg, Germany**

Citizenship

**DE**

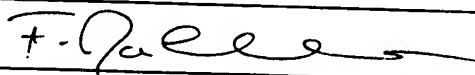
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Full name of second inventor

**Dr. Jon F. KULL**

Second inventor's signature



Date of Signature

3.1.02

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Citizenship

**DE USA**

Post Office Address

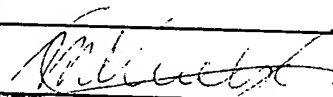
**Jahnstraße 31, 69120 Heidelberg, Germany**

SEE ABOVE

Full name of third inventor

**Dr. Menno L. W. KNETSCH**

Third inventor's signature



Date of Signature

01-23-2002

Residence

**Turnerstraße 167, 69126 Heidelberg, Germany**

Valeriusshof 67A, 6215 GD Maastricht

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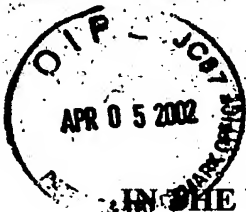
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Full name of fourth inventor <b>Hartmut H. NIEMANN</b>	
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Residence	
Citizenship	
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Full name of sixth inventor	
Sixth inventor's signature	Date of Signature
Residence	
Citizenship	
Post Office Address	
Full name of seventh inventor	
Seventh inventor's signature	Date of Signature
Residence	
Citizenship	
Post Office Address	



11-4  
COPY OF PAPERS  
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Manstein *et al.*

Serial No.: 10/044,303

Filed: January 11, 2002

Atty Dkt: 1974.006

Group Art Unit: 1653

Examiner: Not yet assigned

Title: PROTEIN EXPRESSION AND  
STRUCTURE SOLUTION  
USING SPECIFIC FUSION  
VECTORS

Certificate of Mailing Under 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on March 26, 2002.

*Candice J. Clement*

Candice J. Clement  
Attorney for Applicants  
Reg. No. 39,946

Date of Signature: March 26, 2002

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

**COMMUNICATION CLAIMING SMALL ENTITY STATUS OF ASSIGNEE**

Dear Sir:

Please be informed that the Applicants of the above-captioned patent application have assigned their full title and rights in the claimed invention to:

Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V.

and that the Assignee is entitled to small entity status as a not-for-profit scientific organization.

A copy of the Assignment is attached hereto.

Respectfully submitted,

Date: March 26, 2002

*Candice J. Clement*

Candice J. Clement, Esq.  
Attorney for Applicants  
USPTO Registration Number 39,946  
HESLIN ROTHENBERG FARLEY & MESITI P.C.  
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**COPY**

**ASSIGNMENT**

WHEREAS, We, **Dr. Dietmar J. MANSTEIN**, having a mailing address of Langewann 9, 69121 Heidelberg, Germany; **Dr. Jon F. KULL**, having a mailing address of Jahnstraße 31, 69120 Heidelberg, Germany; **Dr. Menno L. W. KNETSCH**, having a mailing address of Turnerstraße 167, 69126 Heidelberg, Germany, and **Hartmut H. NIEMANN**, having a mailing address of Brahmsstraße 10, 69118 Heidelberg, Germany, all citizens of Germany, have invented certain new and useful improvements entitled **PROTEIN EXPRESSION AND STRUCTURE SOLUTION USING SPECIFIC FUSION VECTORS**, which We disclosed in European Patent Application Number EP 01100762.2 filed January 12, 2001, and for which we now execute an application for Letters Patent of the United States;

AND WHEREAS, **MAX-PLANCK-GESSELLSCHAFT zur FÖRDERUNG der WISSENSCHAFTEN e.V.**, a German corporation having a mailing address of Hofgartenstr. 8, 80539 München, Germany, is desirous of obtaining the entire right, title and interest in and to the application for Letters Patent of the United States;

WE, **Dr. Dietmar J. MANSTEIN**, **Dr. Jon F. KULL**, **Dr. Menno L. W. KNETSCH**, and **Hartmut H. NIEMANN**, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, have sold, assigned, transferred and set over unto **MAX-PLANCK-GESSELLSCHAFT zur FÖRDERUNG der WISSENSCHAFTEN e.V.**, its assigns, successors and legal representatives, the entire right, title and interest in and to the application for Letters Patent of the United States, and all divisions, renewals and continuations of the application, and any Letters Patent that may be granted thereon, and any reissues and extensions of such Letters Patent, and We hereby authorize and request the Commissioner of Patents of the United States, to issue all Letters Patent granted on the improvements to **MAX-PLANCK-GESSELLSCHAFT zur FÖRDERUNG der WISSENSCHAFTEN e.V.**, its successors, legal representatives and assigns, in accordance with the terms of this instrument; and

WE agree that We have full right to convey the entire interest herein assigned, and that We have not executed, and will not execute, any agreement in conflict herewith; and

WE further agree that We will communicate to **MAX-PLANCK-GESSELLSCHAFT zur FÖRDERUNG der WISSENSCHAFTEN e.V.**, its assigns, legal representatives and successors, any facts known to us respecting the improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications derived from the application for Letters Patent of the United States, make all rightful oaths and generally do everything possible to assist **MAX-PLANCK-GESSELLSCHAFT zur FÖRDERUNG der WISSENSCHAFTEN e.V.**, its assigns, legal representatives and successors, to obtain and enforce proper patent protection for the improvements in the United States.

IN TESTIMONY WHEREOF, We do set our hand and seal:

*Dietmar J. Manstein*  
**Dr. Dietmar J. MANSTEIN**

01.16.2002  
DATE

*Setsuko Fujita-Becker*  
WITNESS

01.16.2002  
DATE

*Verbalizing Pappas*  
WITNESS

01.16.2002  
DATE

*F. Jon E. Kull*  
**Dr. Jon E. KULL**

03.01.02  
DATE

*Bullman*  
WITNESS

3/1/02  
DATE

*Sally L. Hair*  
WITNESS

3/1/02  
DATE

*Menno L. W. Knetsch*  
**Dr. Menno L. W. KNETSCH**

01.23.2002  
DATE

*Menno L. W. Knetsch*  
WITNESS

01.23.2002  
DATE

*R King*  
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01.23.2002  
DATE

*Hartmut H. Niemann*  
**Hartmut H. NIEMANN**

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DATE

*R. Gendeb*  
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01.16.2002  
DATE

*Verbalizing Pappas*  
WITNESS

01.16.2002  
DATE